

3 FAH-1 H-3440 MILITARY LEAVE

(TL:POH-075; 11-07-2001)

3 FAH-1 H-3441 ACCRUAL OF MILITARY LEAVE

3 FAH-1 H-3441.1 Accrual Rate for Full-Time Employees

(TL:POH-075; 11-07-2001)

(Uniform State/USAID/BBG/Commerce/Foreign Service Corps-USDA)

(Applies to Foreign Service and Civil Service employees)

A full-time Federal civilian employee whose appointment is not limited to 1 year is entitled to military leave. Official orders from the Department of Defense requiring military duty (active or inactive) of the employee must be presented to the leave-approving official. See 3 FAH-1 H 3441.2 and/or 3 FAH-1 H 3440 Exhibit 3441.1 (This Exhibit is a reprint from the OPM web site: www.opm.gov/ocal/leave/html/military.htm). Military leave under 5 U.S.C. 6323 (a) is prorated for part-time career employees and employees on an uncommon tour of duty. (See 3 FAM 3442)

a. A full-time employee accrues military leave at the rate of 15 workdays or 120 hours per fiscal year for active duty, active duty training and inactive duty training. An employee may carry over a maximum of 15 days into the next fiscal year, not to exceed 30 days in a fiscal year.

b. Military leave should be credited to a full time employee on the basis of an 8-hour workday. The minimum charge for leave is 1 hour. An employee may be charged military leave only for hours that the employee otherwise would have worked and received pay.

c. An employee who requests military leave for inactive duty training (which is generally 2, 4, or 6 hours) will be charged only the amount of military leave necessary to cover the period of training and necessary travel.

d. In the State Department, the affected employee's leave-approving official must submit a certified statement of military leave used by the employee to the Bureau of Finance and Management Policy (FMP/DFO/OCP/CAPD) at the end of the fiscal year.

3 FAH-1 H-3441.2 Accrual Rate for Part-Time Employees

(TL:POH-075; 11-07-2001)

(Uniform State/USAID/BBG/Commerce/Foreign Service Corps-USDA)

(Applies to Foreign Service and Civil Service employees)

A part-time career employee accrues military leave at a percentage of the rate for full-time employees (see 3 FAH-1 H 3440 Exhibit 344.1), *This is determined by dividing the number of hours in the part-time employee's regularly scheduled pay period by 80 hours (the number of hours in a full-time employee's regularly scheduled pay period).*

3 FAH-1 H-3442 PAY STATUS REQUIREMENT

(TL:POH-075; 11-07-2001)

(Uniform State/USAID/BBG/Commerce/Foreign Service Corps-USDA)

(Applies to Foreign Service and Civil Service employees)

In order to determine whether an employee may be granted military leave with pay, the *leave-approving official should determine whether the employee would otherwise have been in a civilian pay status during the period of requested leave.* This determination involves not only the pay (and leave) status immediately before the beginning of military duty but also the pay (and leave) status immediately afterwards. If the employee's pay status would otherwise have changed during the period of military leave, (e.g., at the time the employee requested leave, he would have been on approved leave without pay) then he would not be entitled to military leave with pay since no civilian pay would have been lost.

3 FAH-1 H-3443 THROUGH H-3449 UNASSIGNED

3 FAH-1 H 3440, EXHIBIT 3441.1 MILITARY LEAVE ACCRUAL CHART (FOR PART-TIME EMPLOYEES)

(TL:POH-075; 11-07-2001)

Hours in the regularly scheduled biweekly pay period	Ratio of hours in the regularly scheduled pay period to an 80 hour pay period (the number of hours in the pay period ÷ 80)	Hours of military leave accrued each fiscal year	Pay periods of military leave accrued each fiscal year.
40	.5 (40 ÷ 80)	.5 x 120 = 60 hours	1.5 -- 80 hour pay periods
108	1.325 (106 ÷ 80)	1.325 x 106 = 159 hours	1.5 -- 106 hour pay periods
120	1.5 (120 ÷ 80)	1.5 x 120 = 180 hours	1.5 -- 120 hour pay periods
144	1.8 (144 ÷ 80)	1.8 x 120 = 216 hours	1.5 -- 144 hour pay periods